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	Application No.	Applicant(s)	
Notice of Allowability	10/659,483	MISCZYNSKI ET AL.	
	Examiner	Art Unit	
	George R. Evanisko	3762	•
The MAILING DATE of this communication at All claims being allowable, PROSECUTION ON THE MERITS herewith (or previously mailed), a Notice of Allowance (PTOLNOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT of the Office or upon petition by the applicant. See 37 CFR 1.  1. This communication is responsive to the amdt filed 4/30.	GIS (OR REMAINS) CLOSED in the state of the second of the	n this application. If not included unication will be mailed in due course.	ΓΗΙS nitiative
2. The allowed claim(s) is/are <u>54-73</u> .			
<ol> <li>Acknowledgment is made of a claim for foreign priority a)</li></ol>	nave been received. nave been received in Application	on No	the
Applicant has THREE MONTHS FROM THE "MAILING DAT noted below. Failure to timely comply will result in ABANDO THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	ΓΕ" of this communication to file DNMENT of this application.	e a reply complying with the requiremen	ts
4. A SUBSTITUTE OATH OR DECLARATION must be su INFORMAL PATENT APPLICATION (PTO-152) which	ubmitted. Note the attached EX gives reason(s) why the oath o	AMINER'S AMENDMENT or NOTICE C r declaration is deficient.	)F
5. CORRECTED DRAWINGS ( as "replacement sheets") r	must be submitted.		,
(a) including changes required by the Notice of Draftsp		w ( PTO-948) attached	
1)  hereto or 2)  to Paper No./Mail Date			,
<ul><li>(b) including changes required by the attached Examir Paper No./Mail Date</li></ul>	ner's Amendment / Comment o	r in the Office action of	
Identifying indicia such as the application number (see 37 CF each sheet. Replacement sheet(s) should be labeled as such	R 1.84(c)) should be written on t in the header according to 37 Cl	he drawings in the front (not the back) of FR 1.121(d).	

6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)	
1. Notice of References Cited	d (PTO-892)
2. Notice of Draftperson's Pa	tent Drawing Review (PTO-948)
3. Information Disclosure Sta Paper No./Mail Date	tements (PTO/SB/08),
4. Examiner's Comment Reg of Biological Material	arding Requirement for Deposit

5. Notice of Informal Patent Application
6. Interview Summary (PTO-413), Paper No./Mail Date
7.   Examiner's Amendment/Comment
8.   Examiner's Statement of Reasons for Allowance
9. Other

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## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claims 1-3, 19, 21, 22, 24, 26-30, and 34-41 have been canceled without prejudice as being drawn to a non-elected invention.

The following is an examiner's statement of reasons for allowance: The subject matter of the independent claims can either not be found or was not suggested in the prior art. The subject matter not found was the method for extracting and analyzing cardiac parameters including the steps of analyzing noise levels, determining a plurality of pulsometric parameters, and averaging the plurality of pulsometeric parameters for a number of significant R-R intervals, in combination with the other steps in the claim. The closest prior art of Ambos teaches determining characteristic points where the signal reaches a max/min, determining a plurality of QRS complex parameters and significant R-R intervals, and averaging the plurality of QRS parameters, but not analyzing noise levels, determining a plurality of pulsometric parameters, and averaging the plurality of pulsometric parameters,

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Evanisko whose telephone number is 571 272 4945. The examiner can normally be reached on M-F 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela Sykes can be reached on 571 272 4955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

George R Evanisko Primary Examiner Art Unit 3762

GRE August 1, 2007